



**North Tyneside Council**

**Revenue and Benefit Service  
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## **What to do if you think the decision about your Housing Benefit is wrong.**

This form explains what to do if you think the decision about your Housing Benefit is wrong. When you apply for Housing Benefit, we will give you a decision, in writing, about the outcome of your claim.

### **Explanation of the decision**

You can ask for an explanation in writing/verbally to explain how we made the decision. This does not affect your right to appeal against the decision.

The time we take to provide the explanation will mean you have more time to ask us to look at the decision again or appeal.

### **What should I do if I want you to reconsider the decision again?**

This is called a revision. You must write to us within one month of the date on the decision letter. If there are special circumstances which mean that you cannot write to us within one month, you must contact us to explain why because we may still be able to look at the decision again. You should explain, in writing, why you think the decision is wrong and provide any evidence.

### **What happens when we look at the decision again?**

The decision will be checked by a different officer to the one who made the original decision.

- If we can change the decision, we may change it from the date of our original decision and we will send you a letter explaining our new decision.
- If we cannot change the decision, we will send you a letter explaining why.
- You have one more month to appeal if you disagree.

## **I want to appeal your decision. What should I do?**

You must appeal in writing, completing the attached appeal form. You must send your appeal within one calendar month of the date on the decision letter.

The Tribunal Service will make a decision about your appeal at a tribunal hearing. The tribunal hearing is made up of people who are independent from the Council. It is important that you give the date of the decision and your reasons for appealing, because the tribunal does not have to look at anything you don't mention in your appeal form. The tribunal can only look at the evidence, the law and the circumstances at the time the original decision was made.

## **What happens after I have made an appeal?**

After you have made an appeal the decision will be looked at again and if it can be changed you will be issued with a new decision. If the decision cannot be changed, your appeal will be referred to the Tribunal Service, who is independent of the Council. They will contact you direct to tell you the hearing date.

The Tribunal Service will ask you if you want your appeal heard on the papers or an oral hearing. If you choose an oral hearing you will be able to attend the hearing. Once your appeal has been heard you will be issued with a decision from the tribunal service.

## **Who is affected?**

- The people this will affect will include:
- You (the person making the claim)
- Someone acting on your behalf (chosen by the courts)
- Someone who we agree can act on your behalf
- Your landlord/Agent but only in matters relating to who we pay benefit to
- Anybody who we ask to pay back benefit we have overpaid

## **Landlords and Appeals**

- Landlords only have certain rights to appeal if they don't agree with the decision about Housing Benefit.
- Landlords can appeal if our decision is not to pay direct to them
- Landlords can appeal if we ask them to pay back any benefit we have overpaid
- Landlords cannot appeal against the level of benefit we give

Generally you would ask for an explanation of the decision first, if you are unhappy with it. If you disagree with the explanation, you should explain why you disagree and ask for a revision. If you still disagree with the revision you would then appeal and request a tribunal hearing. However, you can still appeal and request a tribunal hearing without first requesting an explanation or revision.

# Appeal Application Form

## About You

Title  Surname

All other names

Your date of birth  N I number

*You can find this information on your NI number card, payslip, tax papers or letters from the Department for Work and Pensions*

Your address   
  
  
Postcode

Your telephone number

Have you arranged for someone to help you with your appeal give their details below: No  Yes  Please

Their name

Their address

Sign this box if you authorise this person to act for you

Use the space below to tell us why you are unhappy with the decision

If you need more space, use another sheet of paper and attach it to this form. Please remember to put your name and national insurance number on any extra sheets.

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Your signature

Date

If someone has been officially appointed to act for you or someone has the authority to act for you, they should sign here

When you have completed this form take it to any local Customer Service Centre or send it direct to the above address.